

### **REMARKS**

Claims 1-3, 5-8, 10-13, and 15 were rejected in the Official Action mailed August 19, 2005. In response, Applicant respectfully requests reconsideration. In this Response After Final, no claims are added, canceled, or amended so that claims 1-3, 5-8, 10-13, and 15 remain at issue.

#### **I. Rejections Under 35 U.S.C. § 112, First Paragraph**

Claims 1, 3, 5, 6, 8, 10, 11, 13, and 15 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses this rejection.

To satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. *Moba, B.V. v. Diamond Automation, Inc.*, 325 F.3d 1306, 1319, 66 USPQ2d 1429, 1438 (Fed. Cir. 2003). However, the Examiner has the initial burden of presenting by a preponderance of evidence why a person skilled in the art would not recognize in an applicant's disclosure a description of the invention defined by the claims. *In re Wertheim*, 541 F.2d 257, 263, 191 USPQ 90, 97 (CCPA 1976). Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case that a person skilled in the art at the time the application was filed would not have recognized that the inventor was in possession of the invention as claimed in view of the disclosure of the application as filed.

With regard to claim 1, the Examiner asserts that the limitations "said proxy object translating said method call from said intermediary protocol to a second protocol" and "said proxy object issuing said method call to a method using said second protocol" are not described in the application as filed. The Examiner contends that the application does not disclose what performs the translating or the issuing of the method call, and thus does not teach that a proxy object that performs the translating and the issuing of the method call. However, the specification clearly states that the proxy object indeed performs the translating from the intermediary protocol to the second protocol and issuing a method call using the second protocol. The specification, at page 6, lines 19-24, states:

At step 100, a proxy object is created in the calling code. The proxy object translates calls from the language of the calling code to the \*Connect protocol. At step 110, a method of the proxy object is called according to the protocol of the language of the calling code. At step 120, the call is translated into the \*Connect protocol. At step 130, the call is translated, or marshaled, into the protocol of the method's language. At step 140, the call is dispatched to the method.

Once the proxy object method is called at step 110, it is clear the proxy object is performing steps 120-140. The specification clearly states that the proxy object is the actor in step 120. It logically follows that the proxy object remains the actor for the second translating step 130 until after the call is dispatched step 140. Moreover, the specification goes on, at page 6, line 25 to page 7, line 3, to state:

At step 160, the return value is sent back to the proxy object. At step 170, the proxy object translates the return value from the protocol of the method's language to the \*Connect protocol. At step 180, the proxy object translates the return value from the \*Connect protocol to the protocol of the language of the calling code.

Because the specification describes that the value is being sent back to the proxy object, it is both obvious and implicit that it was the proxy object that translated and dispatched the call. Moreover, the specification explicitly describes the proxy object doing the reverse of step 130 at step 170. Because the proxy object is explicitly described as translating between the method's language to the protocol language, Applicant clearly contemplated that the proxy object also performed this function at step 130. Thus, the ordinarily skilled artisan would more likely than not recognized that the inventors were in possession of the invention as claimed in view of the disclosure of the application as filed

Applicant respectfully submits that the rejection is erroneous and should be withdrawn. Because claims 6 and 11 recite limitations similar to those of claim 1, the rejection of claims 6 and 11 is erroneous for at least the same reasons as given for claim 1. The rejection of claims 3, 5, 8, 10, 13, and 15 is also erroneous as those claims depend from claims 1, 6, and 11, respectively.

## **II. Rejections Under 35 U.S.C. § 102**

Claim 1, 6, and 11 were rejected as being allegedly anticipated by *Weber* (U.S. Patent No. 6,480,901). Applicant respectfully traverses this rejection. In Applicant's response mailed September 7, 2004, Applicant traversed this same rejection. However, the Examiner has offered no answer the substance of Applicant's argument in that response. "Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." (MPEP § 707.07(f)). Accordingly, that argument is repeated here, and an answer is respectfully requested. For the same reasons, Applicant requests that the finality of the rejection be withdrawn.

Applicant respectfully submits that *Weber* fails to disclose or even suggest creating a proxy object that translates a method call from a first protocol to a second protocol. *Weber* discusses creating a proxy object, however, *Weber's* proxy object is clearly unlike Applicant's claimed proxy object. Referring to *Weber's* Figure 8, *Weber* teaches a method for issuing remote procedure calls from a management station 802 to a storage controller 806. A management interface application 830 at the management station 802:

initiates a proxy object to represent the storage system's object graph on management station 802. That is, management interface application 820 [sic] stores a copy of the storage system's object graph on management station 802, so it can access and display the object graph when necessary. After retrieving the storage systems organization and configuration, management interface application 830 displays the storage system's configuration on a display screen.

(Column 17, lines 30-37 of *Weber*).

Thus, unlike Applicant's claimed proxy object, *Weber's* proxy object does not have a method call issued to it, does not translate a method call from a first protocol to an intermediate protocol, does not translate a method call from an intermediate protocol to a second protocol, and does not issue a method call to a method using a second protocol. Instead, *Weber's* proxy object merely represents a storage system's object graph.

Moreover, the Examiner relies on RPC conversion agent 522 and UTM-to-internal-messaging component 526 to purportedly teach the method in claim 1. As previously discussed, RPC conversion agent 522 is not the proxy agent in *Weber*. Nevertheless, RPC conversion agent 522 and UTM-to-internal-messaging component 526 are two entirely different components in *Weber*: one is located on a server and the other is located on a device controller. (See Figure 5 of *Weber*). In contrast, claim 1 is directed to a single proxy object that is capable of performing both translations by itself. Accordingly, the RPC conversion agent 522 and UTM-to-internal-messaging component 526 cannot be relied upon in combination to anticipate claim 1. Therefore, for at least these reasons, *Weber* fails to teach or even suggest Applicant's claims 1, 6, and 11.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

### **III. Rejection Under 35 U.S.C. § 103**

Claims 3, 5, 8, 10, 13, and 15 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over *Weber* in view of *Bandhauer* ("A zero generated code XPConnect proposal"). Applicant respectfully traverses the rejection. In Applicant's response mailed September 7, 2004, Applicant traversed this same rejection. However, the Examiner has offered no answer the substance of Applicant's argument in that response. "Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." (MPEP § 707.07(f)). Accordingly, that argument is repeated here, and an answer is respectfully requested. For the same reasons, Applicant requests that the finality of the rejection be withdrawn.

Independent claims 1, 6, and 11 are allowable over *Weber* as discussed above. *Bandhauer* still fails to disclose or suggest Applicant's claimed proxy object. The Examiner argues that XPConnect is an intermediate protocol, however, Applicant disagrees. XPConnect is a technology that binds JavaScript types to XPCOM types. (See, e.g., *Creating Applications with Mozilla*, <http://books.mozdev.org/html/mozilla-chp-8.html> (O'Reilly & Assoc. 2002)). With XPConnect, an XPCOM object is called and instantiated from JavaScript. *Id.* For JavaScript to call and instantiate the XPCOM object, XPConnect provides a bridge to bind

JavaScript types to XPCOM types. *Id.* In XPConnect, XPCOM interfaces and IDs are stored as global JavaScript objects and properties that can be manipulated. *Id.*

Therefore, *Bandhauer* fails to disclose or suggest creating a proxy object that converts a first protocol into an intermediate protocol and converts the intermediate protocol into a second protocol. Instead, *Bandhauer* discusses XPConnect, which binds JavaScript types to XPCOM types. Accordingly, *Weber* in view of *Bandhauer* still fails to disclose or suggest claims 1, 6, and 11.

Claims 3, 5, 8, 10, 13, and 15 depend directly or indirectly from claim 1, 6, or 11 and are therefore allowable for at least the same reasons that claims 1, 6, and 11 are allowable.

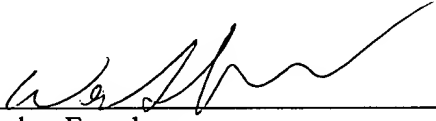
Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

#### IV. Conclusion

Applicant respectfully submits that claim 1, 3, 5, 8, 10, 11, 13 and 15 are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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